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1/29/01

MA

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

MELVIN SANDERS, : CIVIL ACTION NO. 1:CV-00-1866  
Petitioner :  
v. :  
R.M. REISH, : (Judge Rambo) FILED  
Respondent : HARRISBURG, PA  
JAN 29 2001

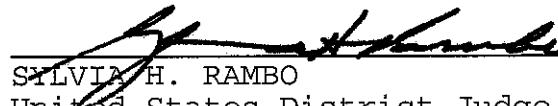
O R D E R

MARY E. D'ANDREA, CLERK  
Per M.E.D. Deputy Clerk

Petitioner Melvin Sanders filed this petition for writ of habeas corpus pursuant to Title 28 U.S.C. § 2241 in which he attacks a conviction and sentence imposed by the United States District Court for the Eastern District of New York. In accordance with United States v. Miller, 197 F.3d 644 (3d Cir. 1999) and Mason v. Meyers, 208 F.3d 414 (3d Cir. 2000), Petitioner is advised that (1) he can have the petition ruled on as filed, (2) have his petition re-characterized as a § 2255 motion and heard as such, but lose his ability to file a second or successive petition absent certification by the Court of Appeals, or (3) withdraw his petition and file one all-inclusive § 2255 motion within the one-year statutory period prescribed by the Antiterrorism Effective Death Penalty Act.

Accordingly, **IT IS HEREBY ORDERED THAT:**

1. Petitioner shall within 45 days of the date of this order complete and file with the court the attached Notice of Election.
2. Failure of petitioner to comply with this order will result in the court ruling on the motion, document or pleading as captioned.

  
\_\_\_\_\_  
SILVIA H. RAMBO  
United States District Judge

Dated: January 29, 2001

SR:dlb

UNITED STATES DISTRICT COURT  
FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

\* \* MAILING CERTIFICATE OF CLERK \* \*

January 29, 2001

Re: 1:00-cv-01866 Sanders v. Reish

True and correct copies of the attached were mailed by the clerk to the following:

Melvin Sanders  
FCI-SCHUYLKILL  
14136-053  
P.O. Box 759  
Minersville, PA 17954

cc:

Judge	(X )
Magistrate Judge	( )
U.S. Marshal	( )
Probation	( )
U.S. Attorney	( )
Atty. for Deft.	( )
Defendant	( )
Warden	( )
Bureau of Prisons	( )
Ct Reporter	( )
Ctroom Deputy	( )
Orig-Security	( )
Federal Public Defender	( )
Summons Issued	( ) with N/C attached to complt. and served by: U.S. Marshal ( ) Pltf's Attorney ( )
Standard Order 93-5	( )
Order to Show Cause	( ) with Petition attached & mailed certified mail to: US Atty Gen ( ) PA Atty Gen ( ) DA of County ( ) Respondents ( )
Bankruptcy Court	( )
PRSLC Belisario	(X )

MARY E. D'ANDREA, Clerk

DATE: January 29th, 2001

BY:   
Deputy Clerk